

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

ANTHONY A. WHITEHURST

VS.

DORIS JONES

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C.A. NO. C-06-150

**ORDER GRANTING PLAINTIFF'S
MOTION TO PROCEED *IN FORMA PAUPERIS***

On March 29, 2006, plaintiff filed this civil rights action (D.E. 1), and filed a motion for leave to proceed *in forma pauperis* ("i.f.p.") (D.E. 2). On April 25, 2006, a hearing was held on his i.f.p. application. Plaintiff testified to the following information:

Plaintiff was released from federal prison on February 3, 2006, and remains on supervised released. He did not have a job at the time he filed suit, but recently obtained employment and makes approximately \$520 week. He does not own a car, but a friend has loaned him one for which he must pay insurance of approximately \$107 a month. He travels approximately 15 miles round trip a day to his job. His only asset is a home in Beaumont that was appraised at \$12,000 prior to Hurricane Rita. It suffered significant damage from the storm and was not insured, and is currently valued at approximately \$ 4,000. He is living on and off with friends while making repairs to the home when possible. He does not have any jewelry, stocks, bonds, monies owing to him, or other valuable assets. He is married, but has no dependents.

The filing fee for a civil action at the time plaintiff filed suit was \$250.00.¹ The Court finds that plaintiff is indigent and is unable to pay the filing fee. Therefore, plaintiff's application to proceed i.f.p. (D.E. 2) is GRANTED, and the Clerk is instructed to file plaintiff's complaint without

¹ Effective April 9, 2006, the filing fee for civil cases is \$350.00.

payment of the filing fee. Plaintiff is advised, however, that, should his financial situation improve, a partial fee may later be accessed if deemed appropriate. Plaintiff is further advised that, although his i.f.p. application has been granted, his complaint is still subject to screening pursuant to 28 U.S.C. § 1915(e)(2).

ORDERED this 26th day of April 2006.


B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE